



1150 North First Street, Suite 101  
San Jose, CA 95112

May 2, 2011

**VIA EMAIL AND HAND DELIVERY**

Gina Donnelly, Deputy Director  
CITY OF SAN JOSE  
Office of Employee Relations  
200 East Santa Clara Street  
San Jose, CA 95113

**RE: Mediation**

Dear Gina:

We acknowledge our receipt of the latest letter from the City, sent on April 29, 2011. Given your statement in said letter, that the City "...will not be providing MEF/CEO with a counterproposal, as there has been no change in circumstances since the City declared impasse on Monday April 18<sup>th</sup>," our negotiating team is intrigued as to what might transpire at the proposed May 2 mediation session.

Since the commencement of the AFSCME, City of San Jose negotiations, there has been little if no change in the City's initial proposal. Certainly the paucity and duration of meetings; the lack of movement from the City's initial proposal; the City's demeanor suggesting the City's team would rather be elsewhere during some negotiating sessions, leads the AFSCME team to be suspect in what we can expect in the mediation process.

Despite these concerns, the AFSCME team once again is stepping-up to show continued leadership in these negotiations in our attempt to reach Agreements with the City. We will be at the Mediation session on May 2. However, we request all parties meet in the same room with the mediator to ensure the mediation process is clearly defined and understood by all parties. We hope through a "good faith" effort, where the parties exchange meaning proposals and counter-proposals, that Successor Agreements between the City and AFSCME Local 101, MEF and CEO will be reached.

The complexity of the issues in these negotiations and the impact of proposed changes will have on City services and our membership as well as the individuals, who provide these essential services, will continue to guide us and our decisions. We have shown significant movement in a good faith effort, to reach agreements with the City. However, it is long overdue that the City clarifies the rationale behind its position and posturing, starts to address the complex issues with real solutions, and not hide behind a veil of blame.

We look forward to meeting you on Monday May 2, and trust that you will attend with a real desire to reach agreements, rather than simply go through the motions in anticipation of imposition.

Sincerely,

LaVerne S. Washington  
President, CEO

Yolanda A. Cruz  
President, MEF

cc: Charles E. Allen, AFSCME, MEF/CEO Business Agent